

The Honorable S. Kate Vaughan

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TSR LLC,

Plaintiff,

v.

WIZARDS OF THE COAST LLC,

Defendant.

Case No. 2:21-cv-01705-SKV

**[PROPOSED]  
PROTECTIVE ORDER  
GOVERNING CONDUCT  
TOWARD WITNESSES**

WIZARDS OF THE COAST LLC,

Counterclaim Plaintiff,

v.

TSR LLC; JUSTIN LANASA; and  
DUNGEON HOBBY SHOP MUSEUM LLC,

Counterclaim Defendants.

1. PURPOSES AND LIMITATIONS

This Protective Order addresses conduct regarding witnesses in this case, including third-party subpoena recipients, witnesses subject to deposition or examination at trial, and any other person who may have or be perceived to have information pertinent to the issues in this lawsuit, including the Parties' claims and defenses.

2. SCOPE

The protections conferred by this agreement cover the named parties to this litigation and any employees, agents, representatives, family members, or other persons acting under the parties' direction or control (collectively referred to as the "Party" or "Parties").

This Protective Order is entered in addition to the Stipulated Protective Order agreed to by the Parties and entered by this Court as Dkt. 27. The Stipulated Protective Order remains in full effect with respect to the subjects it addresses.

3. CONDUCT REGARDING WITNESSES

3.1 Basic Principles. The full litigation of disputes on the merits requires truthful and open testimony by those individuals with knowledge of facts relevant to a case. It also requires cooperation of both parties and non-party witnesses who have information, documents, or other materials subject to discovery. While parties in litigation retain their First Amendment rights, their rights regarding the issues before the Court are constrained by the Court's pursuit of truth and the just resolution of disputes. Speech that interferes with this pursuit by harassing, intimidating, pressuring, or otherwise improperly attempting to influence witnesses is not permitted.

3.2 Comments Regarding Witnesses. No Party may engage in any conduct to improperly influence testimony or participation in this lawsuit.

This includes, but is not limited to:

- any public, limited audience, or private statements intended to or likely to have the effect of harassing, intimidating, threatening, or otherwise improperly influencing witnesses in this litigation;
- the actual or threatened dissemination of any personal information about witnesses, including information of a personal nature regardless of whether it may be available in the public domain;
- use of a witness's name or likeness in a derogatory or harassing manner;
- false or harassing reports to law enforcement about a witness;

- solicitation, encouragement, or suggestion for others to perform any conduct barred by this Protective Order; and
- any other behavior intended to or likely to have the effect of improperly influencing a witness.

3.3 Applicable Forums. The restrictions in Paragraph 3.2 apply to traditional media, email, blogs, public statements, and social media, including but not limited to Facebook, YouTube, Discord, Twitter, EN World, and any other internet forum. They also apply to limited-audience statements and private communications.

4. ENFORCEMENT

Any violation of this Protective Order shall be brought to the Court's attention. A Party found to have violated this Order may be subject to sanctions, including without limitation attorneys' fees for the Party bringing the violation before the Court and any damages or expenses incurred by a witness as a result of conduct barred by this Protective Order.

[PROPOSED] IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
The Honorable S. Kate Vaughan  
United States Magistrate Judge

*Presented by:*

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PROTECTIVE ORDER GOVERNING  
CONDUCT TOWARD WITNESSES - 3  
(Case No. 2:21-CV-01705-SKV)

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